

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE JOINT RESOLUTION NO. 91
101ST GENERAL ASSEMBLY

4056H.02C

DANA RADEMAN MILLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing Sections 49, 50, and 52(b) of Article III of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to initiative petitions proposing amendments to the constitution.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2022, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to Article III of the Constitution of the state of Missouri:

Section A. Sections 49, 50, and 52(b), Article III, Constitution of Missouri, are repealed and four new sections adopted in lieu thereof, to be known as Sections 49, 50, 50(b), and 52(b), to read as follows:

Section 49. The people reserve power to propose and enact or reject laws and amendments to the constitution by the initiative~~[- independent of the general assembly,]~~ and also reserve power to approve or reject by referendum any act of the general assembly, except as hereinafter provided.

Section 50. **1.** Initiative petitions proposing amendments to the constitution shall be signed by eight percent of the legal voters, **registered to vote in Missouri and citizens of the United States**, in each of ~~[two-thirds of]~~ the congressional districts in the state, and petitions proposing laws shall be signed by five percent of such voters. ~~[Every such petition shall be filed with the secretary of state not less than six months before the election and shall contain an enacting clause and the full text of the measure.]~~ Petitions for constitutional amendments shall not contain more than one amended and revised article of this constitution, or one new

EXPLANATION — Matter enclosed in bold-faced brackets ~~[thus]~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

8 article which shall not contain more than one subject and matters properly connected
9 therewith, and the enacting clause thereof shall be "Be it resolved by the people of the state of
10 Missouri that the Constitution be amended:". Petitions for laws shall contain not more than
11 one subject which shall be expressed clearly in the title, and the enacting clause thereof shall
12 be "Be it enacted by the people of the state of Missouri:". **For purposes of this article, only**
13 **citizens of the United States of America who are residents of the State of Missouri and**
14 **who are properly registered to vote in the State of Missouri shall be considered legal**
15 **voters.**

16 **2. Notwithstanding Section 2(b) of Article XII of this constitution to the**
17 **contrary, any initiative petition proposing an amendment to the constitution shall take**
18 **effect at the end of thirty days after the election when approved by at least two-thirds of**
19 **the votes cast thereon, provided that for any initiative petition proposing an amendment**
20 **to the constitution that was approved prior to December 8, 2022, an initiative petition**
21 **proposing solely to repeal all or part of the approved amendment without any additional**
22 **modification shall take effect when approved by a majority of the votes cast thereon.**

23 **3. Any initiative petition proposing laws shall take effect when approved by at**
24 **least a majority of the votes cast thereon.**

Section 50(b). Initiative petitions proposing amendments to the Constitution of
2 **Missouri shall be subject to approval by the general assembly after the initiative petition**
3 **has received the requisite number of signatures but before it is placed on the ballot. An**
4 **initiative petition shall be submitted to the general assembly no later than March first of**
5 **the first or second session of the general assembly immediately prior to the general**
6 **election when the petition shall appear on the ballot. Initiative petitions submitted to**
7 **the general assembly under this section shall not require the governor's signature. The**
8 **general assembly shall have until the first Friday following the second Monday in May**
9 **of the second regular session of the general assembly prior to the general election to act**
10 **on the initiative petition. If both houses of the general assembly pass the initiative**
11 **petition as proposed, it shall become law when approved by a majority of the votes cast**
12 **thereon, and not otherwise. If both houses of the general assembly pass an identical**
13 **amended version of the initiative petition, the sponsors may choose to submit either the**
14 **original version or the amended version to the secretary of state as provided in this**
15 **section. If the sponsors submit the amended version, it shall become law when approved**
16 **by a majority of the votes cast thereon, and not otherwise. If the sponsors submit the**
17 **original version, it shall become law when approved by two-thirds of the votes cast**
18 **thereon, and not otherwise. If both houses of the general assembly fail to pass the**
19 **initiative petition as proposed or as amended, the sponsors may submit the original**
20 **version, which shall become law when approved by two-thirds of the votes cast thereon,**

21 **and not otherwise. The initiative petition shall be returned to its sponsors after 6:00**
22 **p.m. on the first Friday following the second Monday in May. The sponsors shall have**
23 **until May thirtieth to submit either the original version or the amended version of the**
24 **initiative petition to the secretary of state.**

Section 52(b). The veto power of the governor shall not extend to measures referred
2 to the people. All elections on measures referred to the people, **except as otherwise**
3 **provided by this constitution**, shall be had at the general state elections, except when the
4 general assembly shall order a special election. Any measure referred to the people shall take
5 effect when approved by a majority of the votes cast thereon, and not otherwise. This section
6 shall not be construed to deprive any member of the general assembly of the right to introduce
7 any measure.

Section B. Shall the Missouri Constitution be amended to:

2 Define legal voters as citizens of the United States;

3 Allow initiatives proposing constitutional amendments to be reviewed by the general
4 assembly in public hearings;

5 Require a two-thirds vote for new constitutional amendments; and

6 Require a majority vote to amend constitutional provisions adopted prior to December
7 8, 2022?

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